

EXHIBIT 3
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HB 439

House Bill 439
February 6, 2007
Presented by Chris Smith
House Fish, Wildlife & Parks Committee

Mr. Chairman and committee members, for the record I am Chris Smith, Chief of Staff of Montana Department of Fish, Wildlife & Parks (FWP).

I am here today to provide informational testimony regarding HB 439 which exempts certain owners of private fish ponds from licensing requirements.

Existing law (87-4-603) requires anyone who wants to stock a private pond to obtain a permit from FWP.

The purpose for requiring a stocking permit is twofold. First, to be sure that appropriate species will be stocked in the pond. Some fish species may be more appropriate due to the nature of the pond or because of species present in nearby state waters. This bill addresses this issue by stipulating that any pond that would be exempt from a stocking permit must not have any connection to any other waters and it must be outside the historic floodplain.

The second purpose is to assure that fish stocked are purchased from a hatchery that we have confidence is disease free. This bill addresses this issue to a large extent by requiring that the fish be obtained from a hatchery approved by the department. We provide such a list annually based upon the most up to date fish health information.

We do not think this bill will affect our biologists workload in the short run, because they will be reviewing applications for exemption rather than a private pond permit application. We anticipate these will require a similar amount of work to review. In the long run, this may save some time since private pond permits would not have to be renewed for these ponds.